

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FERNANDO ANTONIO MORENO,

Petitioner,

v.

DAVID BREWER,

Respondents.

No. 2:23-cv-00117-TLN-DB

ORDER

Petitioner, a state prisoner proceeding pro se, filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 29, 2022 (ECF No. 5), the magistrate judge filed findings and recommendations herein which were served on Petitioner, and which contained notice to Petitioner that any objections to the findings and recommendations were to be filed within fourteen days. Petitioner did not file any objections to the findings and recommendations.

Although it appears from the file that Petitioner's copy of the findings and recommendations was returned, Petitioner was properly served. It is the Petitioner's responsibility to keep the Court always apprised of his current address. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

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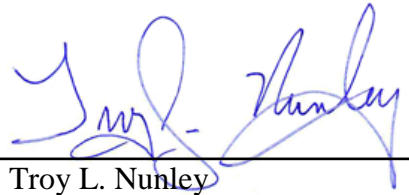
1 The Court reviewed the file and finds the findings and recommendations to be supported
2 by the record and by the magistrate judge's analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed August 29, 2022 (ECF No. 5) are ADOPTED
5 IN FULL; and
- 6 2. This action is DISMISSED without prejudice for failure to prosecute. *See* Local Rule
7 183(b).
- 8 3. The Court declines to issue the certificate of appealability referenced in 28 U.S.C. §
9 2253.
- 10 4. The Clerk of Court is directed to close this case.

11 Date: September 22 2023

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Troy L. Nunley
United States District Judge